

REMARKS

Claims 1 and 14 have been amended to clarify what Applicant regards as the invention. No new matter has been added. Because the amendment is submitted in the authorized revised format, the current requirement in 37 C.F.R. 1.121(c) to provide a clean version of the amended claim is believed waived.

Claims 1-13

Claim 1 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Nos. 4,994,069 (Richart), 5,382,259 (Phelps), 5,749,894 (Engelson), 5,582,619 (Ken), 5,891,058 (Taki), and 6,136,015 (Kurz). Applicant respectfully notes that in order to sustain a rejection under §102, each element in the rejected claim must be found, either expressly or inherently, in the cited reference.

Claim 1 recites a vaso-occlusive device that comprises a member having a length, at least a portion of the length has a *planar* serpentine shape when the member is in a relaxed condition. Applicant respectfully submits that none of the cited references discloses such a device.

According to the Office Action, Figure 5 of Richart, Figure 3 of Engelson, Figures 10A-10D of Ken, and Figure 3 of Taki disclose vaso-occlusive devices having a serpentine shape. However, applicant respectfully points out that Figure 5 of Richart, Figure 3 of Engelson, Figures 10A-10D of Ken, and Figure 3 of Taki each shows a vaso-occlusive coil having a secondary shape of a spiral, and not a *planar* serpentine shape. Particularly, with respect to Engelson, Applicant submits that the device of Figure 3 has a spiral shape because the details at the edges of the loops show part of the coil overlapping another part of the coil.

According to the Office Action, Column 4, lines 18-23 (referring to Figures 13-19) of Phelps discloses a vaso-occlusive device having a serpentine shape. However, Figures 13-19 of Phelps show devices having a helical shape, a flower-shape, a random shape, a helical shape with varying diameter, a cloverleaf shape, a double-loop shape, and a C-shape, respectively. None of these discloses a vaso-occlusive device wherein at least a portion of it has a *planar* serpentine shape.

According to the Office Action, Figures 1-5 and 10 of Kurz disclose vaso-occlusive devices having a serpentine shape. However, Figures 1-5 of Kurz disclose vaso-occlusive devices that have loops at the ends and/or along the length of the devices. Figure 10 shows a vaso-occlusive device having a J-shape. There is nothing in Kurz that discloses or suggests a vaso-occlusive device wherein at least a portion of it has a serpentine shape, or a planar serpentine shape for that matter.

For the foregoing reasons, claim 1 is believed allowable over Richart, Phelps, Engelson, Ken, Taki, and Kurz. For at least the same reasons that claim 1 is allowable over these references, claims 2-13, which depend from claim 1, are also believed allowable over these references.

Claim 14

Claim 14 stand rejected under 35 U.S.C. 102(b) as being anticipated by Richart, Engelson, and Taki. Claim 14 recites deploying a vaso-occlusive device having a relaxed planar serpentine shape. Since Richart, Engelson, and Taki do not disclose a vaso-occlusive device having a relaxed planar serpentine shape, as discussed previously, claim 14 is believed allowable over these references.

New claims 15-28

New claims 15 and 28 each recites a vaso-occlusive device having a length, wherein at least a portion of the length having a serpentine shape and *not forming a spiral loop* when the member is in a relaxed condition. Applicant respectfully submits that none of the cited references discloses such vaso-occlusive device. As such, new claims 15 and 28 are believed allowable over all of the cited references. For at least the same reason that claim 15 is allowable, dependent claims 16-27 are also believed allowable over the cited references.

CONCLUSION

Based on the foregoing, all remaining claims are believed in condition for allowance. If, the Examiner has any questions or comments regarding this amendment, please contact the undersigned at the below-listed number.

Respectfully submitted,

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